

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

NIKIA GRADY,

Plaintiff,

-vs-

Case No. 15-C-1263

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff Nikia Grady (“Grady”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 2) on her appeal from the denial of her applications for social security disability benefits, supplemental security income, Medicare and Medicaid. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By her petition and affidavit to proceed IFP, Grady avers that she is single and has a son whom she is legally responsible to support. Grady

receives \$480 in food stamps assistance each month and \$400 in child support payments for her son. She does not own any valuable property — tangible or intangible — and does not have any money in a checking or savings account. Grady's monthly expenses of \$2,040 exceed her monthly total income by more than \$1,000. She also states that in the past she has received personal loans from family members.

Based on the information provided, Grady has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that she is unable to pay the \$350 filing fee for this action. Furthermore, Grady's Complaint states arguable claims for relief. Accordingly, Grady's petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Grady's petition for leave to proceed IFP (ECF No. 2) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 9th day of November, 2015.

BY THE COURT:



HON. RUDOLPH T. RANDA
U.S. District Judge